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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@SUNSTEINLAW.COM

### Office Action Summary

**Application No.**

09/882,292

**Applicant(s)**

PUTNAM ET AL.

**Examiner**

Andre Boyce

**Art Unit**

3623

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-62, 80-102 and 104-125 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 125 is/are allowed.
- 6) ☒ Claim(s) 3-62, 80-102 and 104-124 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 9/29/10 has been entered.
2. Claims 3, 80 and 88 have been amended, while claim 125 has been added. Claims 3-62, 80-102 and 104-125 are pending.

***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 3-6, 8-12, 14, 15, 17, 19, 21, 23, 24, 28-30, 34-38, 40, 42, 43, 45, 47, 49, 51, 53-55, 59, 61, 80-102, 104, 105, 111, 112, 118, and 119 are rejected under 35 U.S.C. 102(b) as being anticipated by Salmon et al (USPN 5,592,375).  
As per claim 3, Salmon et al disclose a computerized method of identifying industries for potential transfer of a job function with respect to a first industry (i.e.,

evaluating and comparing products, wherein a buyer is a hiring manager and a seller is candidate, column 3, lines 22-24, 28-30, and 38-41), the method comprising:

a. in a first digital computer process, receiving data identifying the job function in the first industry (i.e., a table of functions 270 and a corresponding table of industry experience 260, column 4, line 58-61); b. in a second digital computer process, accessing a database, stored on a digital storage medium (database 200, figure 2), containing (1) first information indicating a set of second industries to which the job function is potentially transferable from the first industry (i.e., industry, function, and skill set logically correlated in a database in order to determine an industry match, wherein a candidate with "Production experience in the Biotechnology industry" and "Design experience in the Aerospace industry" should not match a search for "Design experience in Biotechnology" column 4, lines 50-57) and (2) second information indicating a set of second industries from which the job function is potentially transferable to the first industry, wherein the first information and the second information are non-identical sets of information (i.e., conditions specified by a buyer at step 502 or 528 of FIG. 5 are not limited to a simple AND conjunction of one industry, one function, one skill, etc. He may specify "AND" or "OR" conjunctions between his criteria, and may specify some as "must" and others as "wants." The "wants" can be weighted relative to each other. For instance, the buyer may want a person with marketing or sales experience in the electrical subsystems or semiconductor devices industries (for instance, because the position's requirements are not specific to one industry), column 9, lines 40-56); c. in a third digital computer

process, using the database to identify at least one second industry other than the first industry for potential transfer of the job function (i.e., database 200, column 3, lines 49-54).

As per claim 4, Salmon et al disclose identifying an industry into which a job function capability of a subject is potentially transferable, out of the first industry (i.e., matching the seller's function and industry tables to the buyer's profile, including experience and industry, column 5, lines 25-28 and 38-42).

As per claim 5, Salmon et al disclose the database quantifies degree of transferability between the first industry and each industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43). As per claims 6 and 38, Salmon et al disclose the database is associated with a communications network (i.e., network, local or wide area network, figure 1).

As per claims 8 and 43, Salmon et al disclose in a fourth digital computer process, identifying an enterprise, within at least one of the second industries (i.e., marketing and sales experience in the electrical subsystems or semiconductor device industry, column 9, lines 45-49).

As per claim 9, Salmon et al disclose the enterprise potentially has an employment opportunity with respect to an equivalent job function (i.e., position's requirements are not specific to one industry, column 9, lines 48-49).

As per claims 10 and 17, Salmon et al disclose in a fifth digital computer process, providing a user with and communicating a transferability rating for a transfer out of

the first industry, into an industry of the set of second industries (i.e., a buyer's profile may give weight to industry, experience, or a combination, column 5, lines 45-46, wherein the seller is given a score based on matching the elements, column 10, lines 34-47).

As per claim 11, Salmon et al disclose in a sixth digital computer process, providing a user with an explanation of degree of transferability out of the first industry, into an industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).

As per claim 12, Salmon et al disclose in a seventh digital computer process, providing a user with a direct link, over a communications network, to a job posting source (i.e., buyer's interface 500 links to database 200, via a network to post job profile, figure 1).

As per claim 14, Salmon et al disclose the link is keyed to a destination job posting source based on a user's input concerning a job seeker (i.e., buyer's interface 500 uses the buyer profile to retrieve seller's profile from database 200, column 3, lines 38-43).

As per claim 15, Salmon et al disclose receiving input from a user over a communications network, and wherein the step of identifying a job function is performed based on such input (i.e., seller selects function category 412, column 7, lines 11-14).

As per claim 19, Salmon et al disclose communicating an explanation of degree of transferability to the user over a communications network, for a transfer out of the first industry, into an industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).

As per claims 21 and 51, Salmon et al disclose communicating a list of the second industries to the user over a communications network (i.e., communication of experience in needed industry by the buyer (column 9, lines 44-49) via network, local or wide area network, figure 1).

As per claims 23 and 53, Salmon et al disclose limiting the list according to preferences provided by the user (i.e., weighting of industry, function, and skill by the buyer, column 9, lines 40-45).

As per claims 24 and 55, Salmon et al disclose providing the user with further information on at least one of the second industries over the communications network (i.e., skill set selected by buyer, figure 4h).

As per claims 28 and 59, Salmon et al disclose communicating to the user, over the communications network, a list of at least one enterprise within at least one of the second industries (i.e., marketing and sales experience in the electrical subsystems or semiconductor device industry, column 9, lines 45-49).

As per claim 29, Salmon et al disclose the at least one enterprise potentially has an employment opportunity with respect to an equivalent job function (i.e., position's requirements are not specific to one industry, column 9, lines 48-49).

As per claims 30 and 61, Salmon et al disclose providing the user with further information on an enterprise from the list of at least one enterprise, over the communications network (i.e., position within the enterprise, figure 4j).

As per claim 34, Salmon et al disclose identifying an industry out of which a job function capability is potentially transferable, into the first industry (i.e., marketing and sales experience in the electrical subsystems or semiconductor device industry, column 9, lines 45-49).

As per claims 35 and 47, Salmon et al disclose in an eighth digital computer process, providing a user with and communicating a transferability rating for a transfer into the first industry, out of an industry of the set of second industries (i.e., a buyer's profile may give weight to industry, experience, or a combination, column 5, lines 45-46, wherein the seller is given a score based on matching the elements, column 10, lines 34-47).

As per claim 36, Salmon et al disclose in a ninth digital computer process, providing a user with an explanation of degree of transferability into the first industry, out of an industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).



As per claim 37, Salmon et al disclose the database quantifies degree of transferability between the first industry and each industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).

As per claim 40, Salmon et al disclose in a tenth digital computer process, providing the user with a direct link, over a communications network, to a resume posting source (i.e., seller's interface 300 links to database 200, via a network to post job profile, figure 1).

As per claim 42, Salmon et al disclose the link is keyed to a destination resume posting source based on a user's input concerning a position to be filled (i.e., buyer's interface 500 uses the buyer profile to retrieve seller's profile from database 200, column 3, lines 38-43).

As per claim 45, Salmon et al disclose receiving input from a user over a communications network, and wherein identifying a job function is performed based on such input (figure 4f).

As per claim 49, Salmon et al disclose communicating an explanation of degree of transferability to the user over a communications network, for a transfer into the first industry, out of an industry of the set of second industries (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).

As per claim 54, Salmon et al disclose the preferences include a desired skill set (figure 4h).

As per claim 80, Salmon et al disclose wherein the database is accessed using a symbolic representation of a job transfer between the first industry and a second industry (industry 402 symbol, figure 4a), of a set of second industries with respect to which the job function capability is potentially transferable (i.e., industry, function, and skill set logically correlated in a database in order to determine an industry match, column 4, lines 50-57).

As per claim 81, Salmon et al disclose a job function symbol (figure 4e).

As per claim 82, Salmon et al disclose an industry symbol (figure 4c).

As per claim 83, Salmon et al disclose a transfer operator (i.e., product given a weight score, column 10, lines 42-43).

As per claim 84, Salmon et al disclose accessing a transferability rating for a transfer between the first industry and the second industry (i.e., buyer's interface rank-orders sellers according to want weighting 522, figure 5).

As per claim 85, Salmon et al disclose accessing text of an explanation of degree of transferability for a transfer between the first industry and the second industry (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry, column 5, lines 39-43).

As per claims 86 and 100, Salmon et al disclose using the symbolic representation as an input language for a query to the database (i.e., SQL query, used to retrieve seller's profiles, column 3, lines 41-44).

As per claims 87 and 101, Salmon et al disclose automatically generating the symbolic representation based upon input provided by a user (i.e., buyer's interface 500 presents interactive screen queries based upon input, column 3, lines 38-41).

As per claim 88, Salmon et al disclose wherein the database is accessed using a symbolic representation that categorizes a subject of a user's job transferability query (i.e., buyer's interface 500 presents interactive screen queries based upon input, column 3, lines 38-41).

As per claim 89, Salmon et al disclose the subject is a job seeker (i.e., the candidate/seller, column 3, lines 28-30).

As per claim 90, Salmon et al disclose a job function symbol and an industry symbol (figures 4e and 4c).

As per claim 91, Salmon et al disclose a symbol chosen from the group consisting of: an educational background symbol, a geographical location symbol (i.e., location, figure 4p), a company size symbol, and a hierarchical position symbol.

As per claim 92, Salmon et al disclose the symbolic representation comprises a symbol representing the subject's preferences (i.e., characteristics for selection or exclusion of a seller, column 7, lines 47-51).

As per claim 93, Salmon et al disclose the subject is the target population of an employer's search for potential employees (i.e., a target number of candidates, column 7, lines 55-58).

As per claim 94, Salmon et al disclose a job function symbol and an industry symbol (figures 4e and 4c).

As per claim 95, Salmon et al disclose a symbol chosen from the group consisting of: an educational background symbol, a geographical location symbol (i.e., location, figure 4p), a company size symbol, and a hierarchical position symbol.

As per claim 96, Salmon et al disclose the symbolic representation comprises a symbol representing the subject's preferences (i.e., characteristics for selection or exclusion of a seller, column 7, lines 47-51).

As per claim 97, Salmon et al disclose the subject is represented using symbols representing experience in more than one industry (i.e., figure 4c, wherein the seller may select from the list of industries).

As per claim 98, Salmon et al disclose accessing a row of transferability ratings from a transferability matrix (i.e., database server retrieves database rows for all sellers that meet the must criteria, column 7/8, lines 66-3).

As per claim 99, Salmon et al disclose accessing text of explanations of degree of transferability corresponding to a row of a transferability matrix (i.e., matching or not matching the buyer's profile that specified that the seller must have production experience in aerospace industry in the database 200, column 5, lines 39-43).

As per claim 102, Salmon et al disclose the symbolic representation is also used as an element in symbolically representing a job transfer between the first industry and the second industry (i.e., weighted summary of industry and function transfer, figure 6e).

As per claims 104, 111, and 118, Salmon et al disclose receiving input from a user, over a communications network, related to a job seeker's present job function in the

first industry, whereby the second industries represent recommended industries for the job seeker's job search (i.e., industry, function, and skill set logically correlated in a database in order to determine an industry match, column 4, lines 50-57).

As per claims 105, 112, and 119, Salmon et al disclose receiving input from a user, over a communications network, related to an employer's industry and to a job function of interest to the employer, whereby the second industries represent recommended industries in which the employer may find a population of potential employees (i.e., marketing and sales experience in the electrical subsystems or semiconductor device industry, wherein the position's requirements are not specific to one industry, column 9, lines 45-49).

***Claim Rejections - 35 USC § 103***

5. Claims 7, 13, 16, 18, 20, 22, 25-27, 31-33, 39, 41, 44, 46, 48, 50, 52, 56-58, 60, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmon et al (USPN 5,592,375), as applied to independent claim 3, in further view of Joao (USPN 6,662,194).

As per claim 7, 39, Salmon et al does not disclose the database is associated with a web server on the World Wide Web. Joao discloses providing job and recruitment services provided via the Internet and World Wide Web, wherein the processing computers communicate via the Internet and/or World Wide Web (column 13, lines 22-30). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art

at the time the invention was made to include the database being associated with a web server on the World Wide Web in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 13, Salmon et al does not disclose the job posting source is a website. Joao discloses the central processing computers having a web site associated therewith (column 13, lines 31-33). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the job posting source is a website in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 16, Salmon et al does not disclose the input is received over the Internet. Joao discloses providing job and recruitment services provided via the Internet and World Wide Web, wherein the processing computers communicate via the Internet and/or World Wide Web (column 13, lines 22-30). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to

include the input is received over the Internet in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claims 18, 20, 22, 32, 46, 48, 50, 52, and 62, Salmon et al does not disclose the list is communicated over the Internet. Joao discloses providing job and recruitment services provided via the Internet and World Wide Web, wherein the processing computers communicate via the Internet and/or World Wide Web (column 13, lines 22-30). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the list is communicated over the Internet in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claims 25 and 56, Salmon et al does not disclose providing the user with contact information for a recruiter, over the communications network. Joao discloses an individual transmitting contact information (column 24, lines 22-27). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include disclose providing the user with contact information, over the

communications network in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claims 26 and 57, Salmon et al does not disclose the recruiter specializes in recruiting for an industry of the set of second industries. Joao discloses the recruiter representing the employer and specific types of positions. Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a recruiter specializing in recruiting for an industry of the set of second industries in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claims 27 and 58, Salmon et al does not disclose the recruiter specializes in recruiting for the job function. Joao discloses the recruiter representing the employer and specific types of positions. Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a recruiter specializing in recruiting for the job function in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination



each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claims 31, 44, and 60, Salmon et al does not disclose providing the user with information on an employment contact at an enterprise from the list of at least one enterprise, over the communications network. Joao discloses transmitting employer contact information (column 24, lines 22-27). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include disclose providing the user with contact information, over the communications network in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 33, Salmon et al does not disclose the list of at least one enterprise is restricted based upon size of company with which a job seeker has experience. Joao discloses the individual entering the job search, including any search criteria (column 22, lines 42-44), wherein the employer information includes employer size (column 15, line 52). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include list of at least one

enterprise is restricted based upon size of company with which a job seeker has experience in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 41, Salmon et al does not disclose the resume posting source is a website. Joao discloses the central processing computers having a web site associated therewith (column 13, lines 31-33). Both Salmon et al and Joao are concerned with providing effective job services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the job posting source is a website in Salmon et al, as seen in Joao, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

6. Claims 106-110, 113-117, and 120-124 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmon et al (USPN 5,592,375).

As per claims 106, 113, and 120, Salmon et al disclose receiving feedback that allows the buyer to measure the efficiency of the search process, the nature of the sellers being reviewed and statistical reports on the sellers (column 13, lines 19-22). Salmon et al does not explicitly disclose updating

the database's correlation of industries based upon feedback information provided by users. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include updating the database's correlation of industries based upon feedback information provided by users in Salmon et al, thus providing a more accurate correlation of industries in Salmon et al, thus improving the efficiency of the search process.

As per claims 107, 114, and 121, Salmon et al disclose using multiple types of heuristics to determine the correlation between a buyer and a seller, including a preference weighting selection engine and a filtering method, column 11, lines 6-10 and 38-44. Salmon et al does not explicitly disclose updating the database's correlation is performed using a preference analysis technique. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include updating the database's correlation using a preference analysis technique in Salmon et al, thus providing a more accurate correlation of industries in Salmon et al, thus improving the efficiency of the search process.

As per claims 108, 115, and 122, Salmon et al disclose using multiple types of heuristics to determine the correlation between a buyer and a seller, including a preference weighting selection engine and a filtering method, column 11, lines 6-10 and 38-44. Salmon et al does not explicitly disclose updating the database's correlation is performed using collaborative filtering. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to

include updating the database's correlation using collaborative filtering in Salmon et al, thus providing a more accurate correlation of industries in Salmon et al, thus improving the efficiency of the search process.

As per claims 109, 116, and 123, Salmon et al disclose using multiple types of heuristics to determine the correlation between a buyer and a seller, including a preference weighting selection engine and a filtering method, column 11, lines 6-10 and 38-44. Salmon et al does not explicitly disclose updating the database's correlation is performed using a preference matrix. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include updating the database's correlation using a preference matrix in Salmon et al, thus providing a more accurate correlation of industries in Salmon et al, thus improving the efficiency of the search process.

As per claims 110, 117, and 124, Salmon et al disclose Salmon et al does not explicitly disclose rows and columns of the preference matrix correspond to rows and columns in an industry transferability data structure (i.e., the information describing candidates may be stored as tables, including table 260 of industry experience, wherein linked rows from the tables are considered as an unit in matching against a buyer's profile, column 4, lines 58-62 and column 5, lines 38-39).

***Allowable Subject Matter***

7. Claim 125 is allowed.

***Response to Arguments***

8. In the Remarks, Applicant respectfully submits that the prior art of record (Salmon in particular) neither teaches nor suggests such a database and use of such a database to identify at least one second industry other than the first industry for potential transfer of the job function, as claimed. The Examiner respectfully disagrees. As seen in the updated rejection above, Salmon discloses conditions specified by a buyer at step 502 or 528 of FIG. 5 are not limited to a simple AND conjunction of one industry, one function, one skill, etc. He may specify "AND" or "OR" conjunctions between his criteria, and may specify some as "must" and others as "wants." The "wants" can be weighted relative to each other. For instance, the buyer may want a person with marketing or sales experience in the electrical subsystems or semiconductor devices industries (for instance, because the position's requirements are not specific to one industry), column 9, lines 40-56, wherein the "OR" conjunction within industries allows second information indicating a set of second industries from which the job function is potentially transferable to the first industry, wherein the first information and the second information are non-identical sets of information

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571)272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andre Boyce/  
Primary Examiner, Art Unit 3623  
December 12, 2010